

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	<div style="text-align: right;"> <b>19 JUL 2006</b>          ATTORNEY'S DOCKET NUMBER  <b>620-421</b> </div>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  <div style="text-align: center;"><b>10/570,487</b></div>
INTERNATIONAL APPLICATION NO. <b>PCT/GB2004/003854</b>	INTERNATIONAL FILING DATE <b>9 September 2004</b>	PRIORITY DATE CLAIMED <b>12 September 2003</b>
TITLE OF INVENTION <b>COMPOSITIONS COMPRISING A FRAGMENT OF THE HERPESVIRAL PROTEIN VP22 FOR DELIVERY OF SUBSTANCES TO CELLS</b>		
APPLICANT(S) FOR DO/EO/US <div style="text-align: center;"><b>O'HARE ET AL.</b></div>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (        pages specification, claims &amp; abstract (        claims),        sheets drawings).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (        pages specification, claims &amp; abstract (        claims),        sheets drawings,        page Certificate of Translation).</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (        page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).</li> </ol> </li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 To 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> A FIRST preliminary amendment.</li> <li>b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> </ol> </li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information. Amendment; Submission &amp; copies of references listed on PTO-1449 Form filed 3/3/2006; paper &amp; computer readable copies of Sequence Listing</li> </ol>		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/570,487</b>			INTERNATIONAL APPLICATION NO. <b>PCT/GB2004/003854</b>			ATTORNEY'S DOCKET NUMBER <b>620-421</b>		
<input checked="" type="checkbox"/> The following fees are submitted:								
<b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b>								
21. <input type="checkbox"/> Basic national fee .....						\$300.00 (1631)/\$150.00 (2631)	\$	
22. <input type="checkbox"/> Examination Fee.....						\$0 (1643/2643)	\$	
						\$200.00 (1633)/\$100.00 (2633)		
23. <input type="checkbox"/> Search Fee .....						\$0 (1640/2640)		
						\$100 (1641)/\$50 (2641)		
						\$400 (1642)/\$200 (2642)		
						\$500.00 (1632)/\$250.00 (2632)		
<b>TOTAL OF ABOVE CALCULATIONS</b>							\$	0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.								
Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof (round up to a whole number)		RATE		
0	-100	0	/50 =	0.00		\$0.00 (1681)		
						\$0.00 (2681)		
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e).							\$	
CLAIMS		NUMBER FILED		# EXTRA		RATE		
Total Claims			minus 20 =	0 X	\$50.00 (1615)/	\$25.00 (2615)	\$	
Independent Claims			minus 3 =	0 X	\$200.00 (1614)	\$100.00 (2614)	\$	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$360.00 (1616)/\$180.00 (2616)		\$	0.00	
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)							\$	0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.								
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f).								0.00
<b>TOTAL NATIONAL FEE =</b>							\$	<b>0.00</b>
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property							\$	40.00
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)							\$	0.00
<b>TOTAL FEES ENCLOSED =</b>							\$	<b>40.00</b>
							Amount to be refunded:	\$
							Amount to be Charged:	\$

U.S. Application No.10/570,487; Atty Docket No.620-421

- a. ☒ A check in the amount of \$40.00 to cover the above fees is enclosed.  
b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees.  
A duplicate copy of this form is enclosed.  
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.  
d. ☐ **CREDIT CARD PAYMENT FORM ATTACHED.**  
e. ☒ The entire content of International Application No. PCT/GB2004/003854 and any U.S. and foreign application(s) corresponding thereto, and GB 0321311.3, referred to in this application is/are hereby incorporated by reference in this application.

**NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.**

**CORRESPONDENCE ADDRESS**

Direct all correspondence to:

☒ **Customer Number:****23117***Type Customer Number here*

Telephone: (703) 816-4000  
BJS:pp

  
**B. J. Sadoff**  
NAME

**36,663**

REGISTRATION NUMBER

July 19, 2006

Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

O'HARE ET AL.

Atty. Ref.: 620-421

Serial No. 10/570,487

Group: Unknown

Filed: March 3, 2006

Examiner: Unknown

For: COMPOSITIONS COMPRISING A FRAGMENT OF THE HERPESVIRAL  
PROTEIN VP22 FOR DELIVERY OF SUBSTANCES TO CELLS

\* \* \* \* \*

July 19, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


**SUBMISSION**

Submitted herewith is a copy of the references listed on the PTO-1449 Form and in the International Search Report, copies of which were filed with the application on March 3, 2006. Return of an initialed copy of the PTO-1449 Form filed March 3, 2006, pursuant to MPEP Section 609, is requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
B. J. Sadoff  
Reg. No. 36,663

BJS:pp  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100